

UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK

DUNKIN' DONUTS FRANCHISED  
RESTAURANTS LLC, *et al.*

Plaintiffs,

v.

INNER CITY DOUGH, INC., *et al.*,

Defendant.

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C.A. No. 08-CV-00217 (RWS)

NOTICE OF MOTION TO  
ADMIT COUNSEL PRO  
HAC VICE

PLEASE TAKE NOTICE that upon the annexed certifications of Ronald D. Degen and David E. Worthen in support of this motion and the Certificate of Good Standing annexed thereto we will move this Court before the Honorable Robert W. Sweet at the United States Courthouse for the Southern District of New York, pursuant to Rule 1.3 (c) of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York, for an Order allowing the admission of David E. Worthen, an attorney at the firm of Gray, Plant, Mooty, Mooty & Bennett, P.A. and a member in good standing of the bar of the District of Columbia, as attorney pro hac vice to argue or try this case in whole or in part as counsel.

Respectfully submitted,

By: Ronald D. Degen  
Ronald D. Degen, Esq. (RD 7808)  
O'ROURKE & DEGEN, PLLC  
225 Broadway, Suite 715  
New York, N.Y. 10007  
Telephone: (212) 227-4530  
Facsimile: (212) 385-9813  
E-mail: rdegen@odlegal.com

Dated: March 24, 2008

ATTORNEY FOR ALL PLAINTIFFS

MAR 25 2008

FILED  
U.S. DISTRICT COURT  
S.D.N.Y.  
2008 MAR 25 AM 10:56

**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

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DUNKIN' DONUTS FRANCHISED  
RESTAURANTS LLC, *et al.*

Plaintiffs,

v.

INNER CITY DOUGH, INC., *et al.*,

Defendant.

: **CERTIFICATION OF RONALD D.  
DEGEN IN SUPPORT OF MOTION  
TO ADMIT DAVID E. WORTHEN  
AS COUNSEL PRO HAC VICE**

: C.A. No. 08-CV-00217 (RWS)

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RONALD D. DEGEN hereby certifies the following:

1. I am a member of the firm of O'Rourke & Degen, PLLC, attorneys for Plaintiffs in the above captioned action. I am familiar with the proceedings in this case. I make this statement based on my personal knowledge of the facts herein and in support of Plaintiffs' motion to admit David E. Worthen as counsel pro hac vice to represent Plaintiffs in this matter.

2. I am a member in good standing of the bar of the State of New York, and was admitted to practice law at the October 1970 Term of the Second Judicial Department. I also was admitted to the bar of the United States District Court for the Southern District of New York on April 20, 1972, and I am in good standing with this Court.

3. I have known David E. Worthen for more than 10 years.


4. Mr. Worthen is a principal with the law firm of Gray, Plant, Mooty, Mooty & Bennett, P.A.

5. I have found Mr. Worthen to be a skilled attorney and a person of integrity. He is experienced in Federal practice and with the Federal Rules of Civil Procedure.

6. Accordingly, I am pleased to move the admission of David E. Worthen, pro hac vice.

7. I respectfully submit herewith a proposed order granting the admission of David E. Worthen, pro hac vice.

8. I certify under penalty of perjury under the laws of the State of New York that the foregoing is true and correct. Executed on this 24th day of March, 2008.

  
\_\_\_\_\_  
Ronald D. Degen (RD 7808)

**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

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DUNKIN' DONUTS FRANCHISED RESTAURANTS LLC, <i>et al.</i>	:	
Plaintiffs,	:	
v.	:	C.A. No. 08-CV-00217 (RWS)
INNER CITY DOUGH, INC., <i>et al.</i> ,	:	CERTIFICATION OF DAVID E. WORTHEN
Defendant.	:	MOTION TO ADMIT COUNSEL <u>PRO HAC VICE</u>
-----X		

1. My name is David E. Worthen. I am a citizen and resident of the Commonwealth of Virginia. I submit this Certification in support of the Motion for Admission Pro Hac Vice for the purpose of representing all Plaintiffs ("Dunkin'") in the above-captioned case.

2. I am a principal in the law firm of Gray, Plant, Mooty, Mooty & Bennett, P.A., 2600 Virginia Avenue, Northwest – Suite 1111, Washington, DC 20037. Gray, Plant, Mooty, Mooty & Bennett, P.A. is the national litigation counsel for Dunkin' organizations with their principal place of business in Canton, Massachusetts. Gray, Plant, Mooty, Mooty & Bennett, P.A. handles every aspect of litigation on behalf of Plaintiffs, including franchise cases, employment cases, contract cases, trademark cases, and others. I have represented Plaintiffs in cases of this nature in the past.

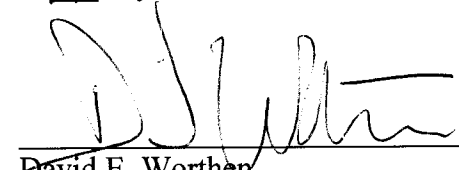
3. I am a member in good standing for the United States District Court for the District of Columbia, State of Connecticut, the United States Court of Appeals for the Third Circuit, the United States Court of Appeals for the Fourth Circuit, the United States Court of Appeals for the Seventh Circuit, the United States Court of Appeals for the

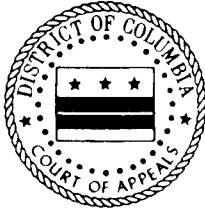
Eleventh Circuit, the United States District Court for the Eastern District of Wisconsin, the United States District Court for the Central District of Illinois, the United States District Court for the District of Colorado, and the United States District Court for the District of Maryland.

4. There are no disciplinary proceedings pending against me as a member of the bar in any jurisdiction.

5. I have never been disciplined or denied admission by any jurisdiction.

I certify under penalty of perjury under the laws of the State of New York that the foregoing is true and correct. Executed on this 27<sup>th</sup> day of March, 2008.

  
\_\_\_\_\_  
David E. Worthen



District of Columbia Court of Appeals  
Committee on Admissions  
500 Indiana Avenue, N.W. — Room 4200  
Washington, D. C. 20001  
202 / 879-2710

I, GARLAND PINKSTON, JR., Clerk of the District of Columbia  
Court of Appeals, do hereby certify that

DAVID E. WORTHEN

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was on the 5th day May, 1994

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duly qualified and admitted as an attorney and counselor and  
entitled to practice before this Court and is, on the date  
indicated below, an active member in good standing of this Bar.

In Testimony Whereof, I have  
hereunto subscribed my name  
and affixed the seal of this  
Court at the City of  
Washington, D.C., on March  
21, 2008.

GARLAND PINKSTON, JR., CLERK

By:   
Deputy Clerk

**CERTIFICATE OF SERVICE**

I hereby certify, under penalty perjury, that on March 24, 2008 I served a copy of the Motion for Admission *Pro Hac Vice* for David E. Worthen, supporting papers and proposed order by first class mail in a post paid wrapper addressed to each of the following:

Robert B. Davis, Esq.  
450 Seventh Avenue, Suite 1304  
New York, New York 10123

Lawrence A. Kushnick, Esq.  
445 Broad Hollow Road, Suite 124  
Melville, New York 11747

  
RONALD D. DEGEN (ED 7808)

**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

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DUNKIN' DONUTS FRANCHISED	:	
RESTAURANTS LLC, <i>et al.</i>	:	
	:	
Plaintiffs,	:	
	:	
v.	:	C.A. No. 08-CV-00217 (RWS)
	:	
INNER CITY DOUGH, INC., <i>et al.</i> ,	:	ORDER TO ADMIT
	:	COUNSEL <u>PRO HAC VICE</u>
Defendant.	:	

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The motion for admission to practice pro hac vice in the above-captioned matter is granted. The admitted attorney, David E. Worthen, is permitted to argue or try this particular case in whole or in part as counsel or advocate.

An attorney admitted to practice pro hac vice is required to pay a \$25.00 attorney admission fee and present this Order to the intake deputy clerk in the Clerk's Office. When paying by mail, return a copy of this Order to the Clerk's Office with the required fee within 10 business days.

This Order confirms your appearance as counsel in this case, and it will be entered on the Court's docket. A notation of your admission pro hac vice for the above listed case will be made on the roll of attorneys.

The attorney admitted pro hac vice must serve a copy of this Order on all other counsel in this case.

Dated: \_\_\_\_\_, 2008.

SO ORDERED,

\_\_\_\_\_  
United States District Judge